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John Gallagher.

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### Recommended Citation

H.R. Rep. No. 1073, 51st Cong., 1st Sess. (1890)

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JOHN GALLAGHER.

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MARCH 26, 1890.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. DE LANO, from the Committee on Pensions, submitted the following

REPORT:

[To accompany S. 252.]

The Committee on Pensions, to whom was referred the bill (S. 252) granting a pension to John Gallagher, have given the same consideration, and report:

Your committee also have before them a similar bill introduced in the House by Mr. Davidson, but your committee substitute therefor the Senate bill, and adopt the report which accompanies it. The passage of the bill is recommended.

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[Senate report No. 74, Fifty-first Congress, first session.]

The Committee on Pensions, to whom was referred the bill granting a pension to John Gallagher, have examined the same, and report:

The same considerations which induced the committee to approve a bill identical with this one last Congress impel them to the same action now, and for the reasons then submitted, which are herewith appended.

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The proofs presented in the claim embraced in this bill were not such as to fully meet the technical requirements of the Pension Bureau and it was rejected. There is no doubt of the fact of service as private in Company I, Second Regiment United States Dragoons, in the Seminole Indian war of 1836. The hospital records and petitioner's discharge show treatment for such injuries as he alleges, and that they were so serious as to retire him from the Army; the fact of his loyalty is established, and the half century which has elapsed between his enlistment and the application for pension furnishes a reasonable excuse for failure to comply with the usual requirements of officers' and comrades' testimony as to details of injury.

The evidence of a large number of his townsmen in Florida, whose positions entitle them to credit, vouch for his honesty, his crippled condition, and his poverty. These, with his age and Army service, induce the committee to disregard the difficulties which are technical, and to report favorably upon the bill, and recommend its passage, with an amendment making the pension to date from the passage thereof.

NOTE.—Amend by striking out all after the word "date" in the ninth line of said bill and substituting in lieu thereof the words "of the passage of this act."